



STATE OF WEST VIRGINIA  
OFFICE OF THE ATTORNEY GENERAL  
DARRELL V. MCGRAW, JR.  
CONSUMER PROTECTION DIVISION  
1-800-368-8808 or 304-558-8986

# Press Release

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## FOR IMMEDIATE RELEASE

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### **Attorney General McGraw Sues Jack and Kathy Bishop, Owners of Jack Bishop Pre-Owned Auto to Enforce Settlement Agreement**

West Virginia Attorney General Darrell McGraw has filed a lawsuit against Jack and Kathy Bishop, owners of Jack Bishop's Pre-Owned Auto Sales in Beckley, to enforce the terms of a settlement agreement. The couple had failed to comply with two agreements to make restitution to West Virginia consumers aggrieved by their car dealership's unfair and deceptive practices.

According to the Attorney General, the Consumer Protection Division strives to persuade businesses to voluntarily comply with the law and provide consumer refunds before taking legal action. McGraw's office had allowed the Bishops an opportunity to voluntarily comply with the terms of a second settlement before filing suit against them today.

The Attorney General's Office first investigated the Bishops' dealership in August, 2006, after receiving complaints alleging the unlawful sale of vehicles "as is" and illegal repossessions. On February 8, 2008, the Bishops signed a settlement agreement with the state promising to cease these practices and comply with the law.

After the agreement was executed, McGraw's office received additional complaints alleging that the Bishops continued to sell defective vehicles and failed to repair them in violation of the implied warranty of merchantability. When the customers stopped making payments on the defective vehicles, the Bishops hired an armed repossession agent to seize the vehicles.

On December 1, 2009, the Bishops entered into a second agreement in which they promised to pay \$8,750 in restitution. Today's action was prompted when the Bishops again failed to comply with the second settlement agreement.

"West Virginia is one of seven states that prohibits merchants from selling consumers goods as-is," Attorney General McGraw stated. "Car dealers are required to repair or replace a vehicle they have sold if it becomes defective shortly after the sale or after limited use. This protection, called the implied warranty of merchantability, is one of West Virginia's most important rights. My office will not hesitate to take action against merchants who violate their legal obligation."

West Virginia consumers can file complaints or alert the Attorney General's Office to unfair or deceptive practices by calling the Consumer Protection Hot Line, 1-800-368-8808, or by obtaining a complaint form from the consumer web page at [www.wvago.gov](http://www.wvago.gov).

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